

Requiring disclosure of investigations to Houston police and firefighters

HB 2361 by Bailey (Gallegos)

DIGEST: HB 2361 would have required that an investigator, within 30 days after receiving a complaint against a firefighter or police officer, inform the firefighter or police officer in writing of the nature of the investigation and the name of each person who complained about the firefighter or police officer. The investigator would not have had to make this disclosure if a criminal investigation had been initiated as a result of the complaint or if the disclosure would hinder a criminal investigation.

GOVERNOR'S REASON FOR VETO: "House Bill No. 2361 requires Houston police and firefighters to be given the names of complainants, if known, and the basis of complaints made against firefighters and police officers within 30 days of the complaint being filed. Labor relations between the City of Houston and its police officers and firefighters are governed by meet-and-confer agreements. Under the specific terms of those agreements, any issues affecting the labor relations of the City of Houston, on the one hand, and its police officers or firefighters, on the other hand, should be resolved through the meet-and-confer process. The Texas Legislature is not the appropriate forum to address this issue."

RESPONSE: Rep. Kevin Bailey, author of HB 2361, had no comment on the veto.

Sen. Mario Gallegos, the Senate sponsor, said: "I am encouraged by Gov. Perry's endorsement of the meet-and-confer process as an effective means for addressing municipal labor relations. While I agree that meet-and-confer often opens the door to negotiations, the legislative process also provides an avenue for individuals who haven't had their concerns addressed through a contract. HB 2361 represented a compromise by the City of Houston and its first responders regarding when they should be informed about an investigation into their conduct. This bill represents the collective will of all parties involved and should not have been subject to a veto by the governor."

NOTES: HB 2361 was analyzed in the April 28 *Daily Floor Report*.